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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,821	01/17/2002	Hiroki Takaoka	725.1152	5336

21171 7590 06/03/2004
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EXAMINER

JAKETIC, BRYAN J

ART UNIT PAPER NUMBER

3627

DATE MAILED: 06/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/046,821

Applicant(s)

TAKAOKA ET AL.

Examiner

Bryan Jaketic

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Nly

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 8, 15, 16, and 19-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Landom et al. Landom et al teach an estimated price providing apparatus comprising a storage device (16) in which estimated prices that a dealer can offer are registered in advance for respective predetermined choices in association with article specifications that a manufacturer can supply (see col. 2, line 65 through col. 3, line 30); a customize function for allowing a user of an information terminal to select an article of desired specifications (see col. 3, line 44 through col. 4, line 36), wherein the information terminal is connected via a communication line (see Fig. 1); and an estimated price providing function for providing a calculated estimated price per customized article to the information terminal by referring to the estimated prices for respective choices registered in the storage device (see col. 3, line 44 through col. 4, line 36). Landom et al also teach the step of displaying all estimated prices per article, which were previously provided (see Figures 10 and 11). Landom et al also teach that

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the storage function, customize function, and estimated price providing function are managed by the manufacturer (see, for example, col. 12, line 23 through col. 13, line 22).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landom et al. Landom teaches all of the limitations of the claim except for the use of an email message in response to the user's request. However, it is common in the art to send quotes in an email message and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the step of emailing a quote to a

customer so that the customer can save the quote in his email inbox to refer to at a later time.

6. Claims 3-7, 9-14, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanzek in view of Landom et al. Hanzek teaches an estimated price providing apparatus comprising individual storage areas corresponding to a plurality of dealers (616 - see Fig. 7A); a dealer select function (see col. 13, lines 11-19); and an estimated price providing function providing an estimated price per article by referring to the storage area (see col. 31, line 31 through col. 32, line 19). Hanzek does not teach that estimated prices are registered in advance for respective predetermined choices, nor does Hanzek teach that an estimated price is calculated by referring to the estimated prices for respective choice in the storage device. Landom et al teach an estimated price providing apparatus comprising a storage device (16) in which estimated prices that a dealer can offer are registered in advance for respective predetermined choices in association with article specifications that a manufacturer can supply (see col. 2, line 65 through col. 3, line 30); a customize function for allowing a user of an information terminal to select an article of desired specifications (see col. 3, line 44 through col. 4, line 36), wherein the information terminal is connected via a communication line (see Fig. 1); and an estimated price providing function for providing a calculated estimated price per customized article to the information terminal by referring to the estimated prices for respective choices registered in the storage device (see col. 3, line 44 through col. 4, line 36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teachings of

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Landom et al with the invention of Hanzek to provide accurate quotes quickly for customized goods.

Hanzek additionally teaches that the storage device is managed by a third party different from the plurality of dealers (see col. 10, line 64 through col. 11, line 25), wherein the dealers may update the storage contents (see col. 8, lines 6-44). Hanzek also teaches the step of informing the user of the manufacturer's suggested retail price (see col. 18, lines 31-57). Hanzek also teaches the use of an email message in response to the user's request (see col. 12, lines 31-38). Hanzek teaches that the article is an automobile.

Hanzek does not teach the step of providing an estimate on a trade-in article. However, it is common in the art to provide estimates on trade-in articles, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the combination of Hanzek and Landom et al to provide an estimate on trade-in articles to allow customers to determine the final cost of the article.

Hanzek does not teach the step of denying access to the storage area contents of the storage area by another dealer which does not correspond to the storage area. However, it is common in the art to restrict access to databases, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the step of denying access to the storage area contents of the storage area by another dealer which does not correspond to the storage area to ensure the accuracy of the information.

Conclusion


7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cansler et al, Goldberg et al, Green et al, and Cornwell teach systems for providing estimates.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan Jaketic whose telephone number is (703) 308-0134. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703)308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bj


5/29/04